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EXAMINER

HALL, COREY JOHN

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/583,628
Filing Date: June 20, 2006
Appellant(s): ACKERMANN ET AL.

James E. Howard
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/14/2010 appealing from the Office action mailed 7/14/2010.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 10, 13-19, 21, 23 and 25-27.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN

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REJECTIONS.” New grounds of rejection (if any) are provided under the subheading “NEW GROUNDS OF REJECTION.”

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant’s brief.

(8) Evidence Relied Upon

JP09-220399	Asada et al.	8-1997
GB 1,491,852	Thorn Domestic Appliances	11-1977
DE 27 06 595 A1	Palfrey, Leslie Francis	11-1977
4,720,925	Czech et al.	1-1988

Maytag Appliances Sales Co. (Maytag Neptune Dryer) 2004, [online], [retrieved on 2009-8-10]
Retrieved from the Maytag Owners Center Manuals and Literature for model MDE7500 using
Internet <URL:

http://shared.whirlpoolcorp.com/product_literature/search_results.jsp?searchTerm=MDE7500&siteCd=MT_EN_US>

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 10, 13, 16-18, 21, 23, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asada et al. (JP 09-220399 cited in Notice of References Cited mailed

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2/22/2010) in view of ‘852 (GB 1 491 852 provided by Applicant in IDS dated 6/20/2006) and ‘595 (DE 27 06 595 A1 cited in Notice of References Cited mailed 2/22/2010).

Regarding claims 10, 13, 16-18, 21, 23, and 26, Asada et al. discloses a drier (figs. 1 and 3 showing a drying basket in a dryer, para. 24, lines 1-3), comprising: a rotary drum (5, fig. 1) that can be fed through a feed opening (8, figs. 1 and 3, “clothes input port 8” para. 25, line 4), through which drum process air is able to flow from a rear wall (6, fig. 1) into an end plate (9, fig. 1, para. 25, line 1-para. 27, line 2 describing the flow of the air from a rear wall 6 into an end plate 9 through an air circulation duct 25) . . . ; and a drying basket (50, fig. 16, “dry shelf 50” para. 5, line 1 and para. 32, lines 1-3 describing the dry shelf 40 shown in figure 1 as optionally being made of metal wire) with a lattice type basket (50a, fig. 16, para. 5, lines 1-3) projecting into the drum (fig. 1, “extended in a dry room” para. 5, lines 5-7 and para. 30, lines 4-9 describing the drying shelf extending into a dry room), the drying basket including two longitudinal supports (51, fig. 16 showing two longitudinal supports 51, “the main shelf frame 51 which formed a thicker wire” para. 5, line 3) in the form of wires, the supports (51, fig. 16) comprising integral connecting devices (51a, 53, fig. 16) that each include a bent end section (51a, fig. 16) and a bent support section (53, fig. 16) located between the bent end section (51a, fig. 16) and the longitudinal support (51, fig. 16), wherein the basket (50, fig. 16, “It is attached so that the frame of a clothes input port may be pinched with the locking claw part 51a and the support arm 53” para. 5, lines 1-7) is supported demountably (para. 30, lines 5-9) on the end plate (9, figs. 1 and 3), and . . . and allowing the bent support sections (53, fig. 16) to rest against the end plate (9, figs. 1 and 3, para. 5, lines 3-7 describing the bent support sections 53 resting against the frame of a clothes input port and para. 30, lines 5-9 describing the similar basket 40

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having support sections that rest on the end plate), wherein the drying basket (50, fig. 16) has a longitudinal support (51, fig. 16) on both longitudinal sides, a laundry drier (figs. 1 and 3 showing a drying basket 40 in a dryer, para. 24, lines 1-3) comprising: a housing (1, fig. 1); a rotary drum (5, fig. 1) disposed within the housing (1, fig. 1) and including a rear wall (11, fig. 1) having inlet openings through which an air flow enters the rotary drum (fig. 1 showing the air flow entering rear wall 11, passing through a heat exchanger, and then entering the rotary drum 5); a feed opening (8, figs. 1 and 3, para. 25, line 4) in the housing providing access to the rotary drum (5, fig. 1); an end plate (9, figs. 1 and 3) disposed near a lower portion of the feed opening (8, figs. 1 and 3) and . . . ; a drying basket (50, fig. 16) including two elongated longitudinal supports (51, fig. 16) in the form of wires (para. 5, line 3) and a lattice type basket (50a, fig. 16, para. 5, lines 1-3) supported by the longitudinal supports (51, fig. 16), each longitudinal support (51, fig. 16) including a connecting device (51a, 53, fig. 16) comprising a bent end section (51a, fig. 16) that forms a hook (“locking claw part 51a” para. 5, lines 3-4) and a bent supporting section (53, fig. 16) located between the bent end section (51a, fig. 16) and the lattice basket (50a, fig. 16), the drying basket being removably connected to the end plate (9, figs. 1 and 3, para. 4, line 1-para. 6, line 4 describing the drying basket being attachable to the part which forms a clothes input port and para. 30, lines 3-8 describing how the basket of figure 1 is attached to the end plate) and projecting into the rotary drum toward the rear wall (fig. 1 showing a drying basket projecting into the rotary drum, para. 5, lines 1-7) . . . , and each of the supporting sections (53, fig. 16) engaging a surface of the end plate (9, figs. 1 and 3) to support the drying basket within the rotary drum (fig. 1 showing a drying basket 40 similar to the one shown in figure 16 and how it extends into the drum, para. 4, line 1-para. 6, line 4 describing the

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supporting sections engaging the end plate to support the drying basket), wherein each bent end section (51a, fig. 16) includes a bending section curving away from the drying basket (50, fig. 16 showing the bent end sections 51a described as locking claws bending away from the drying basket 50, para. 5, lines 1-7), a method for removably connecting a drying basket (50, fig. 16, para. 4, line 1-para. 6, line 4 describing using a drying basket 50, para. 30, lines 4-9 describing attaching a drying basket and para. 32, lines 1-3) to a laundry drier (fig. 1, para. 4, line 1-para. 6, line 4), the method comprising the following acts: providing the laundry drier (figs. 1 and 3) comprising a housing (1, fig. 1), a rotary drum (5, fig. 1) disposed within the housing, a feed opening (8, figs. 1 and 3) in the housing providing access to the rotary drum (5, fig. 1), and an end plate (9, figs. 1 and 3) disposed near a lower portion of the feed opening (8, figs. 1 and 3) and . . . ; providing the drying basket (50, fig. 16) including two elongated longitudinal supports (51, fig. 16) and a lattice type basket (50a, fig. 16) supported by the longitudinal supports (51, fig. 16), each longitudinal support including a connecting device (51a, 53, fig. 16) having a bent end section (51a, fig. 16) in the form of a hook (“locking claw part 51a” para. 5, line 4) and a bent supporting section (53, fig. 16) located between the lattice type basket (50a, fig. 16) and the bent end section (51a, fig. 16); . . . ; and positioning each bent supporting section (53, fig. 16) on a surface of the end plate (9, figs. 1 and 3, para. 5, lines 1-7 and para. 30, lines 5-9) to support the drying basket within the rotary drum (fig. 1), wherein the engagement of the bent end section (51a, fig. 16) . . . and the engagement of the bent support section (53, fig. 16) with the end plate support (9, fig. 1) cause the drying basket to project into the drum in a cantilevered fashion (fig. 1, para. 5, lines 1-7 and para. 30, lines 5-9), and wherein the engagement between the bent end sections (51a, fig. 16) and . . . and between the bent supporting sections (53, fig. 16) and the end

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plate (9, fig. 1) cause the drying basket to project into rotary drum in a cantilevered fashion (fig. 1, para. 5, lines 1-7 and para. 30, lines 5-9), except for having two openings adjacent to the feed opening, wherein the basket is mounted by inserting the bent end sections into the openings in the end plate, including two basket openings disposed near opposing ends of the end plate, with each of the basket openings receiving one of the bent end sections, wherein the longitudinal support and connecting device are integrally formed from a rigid wire member having various angled sections bent into the desired configuration, including two basket openings, inserting each bent end section into one of the basket openings with the drying basket projecting into the rotary drum, in the opening, and the basket openings. However, '852 and '595 (where '852 and '595 are essentially the same invention, '852 providing an English description while '595 provides a drawing showing the two openings) teach having two openings ('595, 15, fig. 2 showing openings 15 for projections 8, '852, page 2, lines 112-121 describing recesses in which free ends of projections 8 are to engage) adjacent to a feed opening ('852, 12, fig. 2), wherein a basket ('595, fig. 2 at 2) is mounted by inserting end sections ('595, 8, fig. 2) into openings ('595, 15, fig. 2, '852, page 2, lines 112-121), including two basket openings ('595, 15, fig. 2, '852, page 2, lines 112-121) disposed near opposing ends of an end plate ('852, 12, fig. 2), with each of the basket openings ('595, 15, fig. 2, '852, page 2, lines 112-121) receiving one of the end sections ('595, 8, fig. 2), wherein the longitudinal support ('852, 9, fig. 1) and connecting device ('852, 8, fig. 1) are integrally formed from a rigid wire member ('852, page 2, lines 47-48) having various angled sections ('852, fig. 1 showing bent sections at 8, 9) bent into the desired configuration, including two basket openings ('595, 15, fig. 2, '852, page 2, lines 112-121), inserting each end section ('595, 8, fig. 2) into one of the basket openings ('595, 15, fig. 2, '852, page 2, lines 112-

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121) with the drying basket ('595, fig. 2 at 2) projecting into the rotary drum ('595, 10, fig. 2), in the opening ('595, 15, fig. 2, '852, page 2, lines 112-121), and the basket openings ('595, 15, fig. 2, '852, page 2, lines 112-121) in order to provide a more rigid stationary support for the rack ('852, page 2, lines 112-121). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify the Asada et al. reference, to include having two openings adjacent to the feed opening, wherein the basket is mounted by inserting the bent end sections into the openings in the end plate, including two basket openings disposed near opposing ends of the end plate, with each of the basket openings receiving one of the bent end sections, wherein the longitudinal support and connecting device are integrally formed from a rigid wire member having various angled sections bent into the desired configuration, including two basket openings, inserting each bent end section into one of the basket openings with the drying basket projecting into the rotary drum, in the opening, and the basket openings, as suggested and taught by '852 and '595, for the purpose of providing a more rigid stationary support for the rack. The Applicant is combining prior art elements according to known methods to yield predictable results. The Applicant is combining the prior art elements of a wire drying basket that projects into a drying drum while attached by integral connecting devices that include bent end sections that hook onto the end plate using locking claw parts and bent support sections that rest on the end plate as disclosed by Asada et al. with the prior art elements of a wire drying basket that projects into a drying drum while attached by integral connecting devices that include end sections that hook into corresponding openings adjacent to the feed opening and bent support sections that rest on the end plate as taught by '852 and '595 according to known methods to yield the predictable results of a wire drying basket that projects into a drying drum while

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attached by integral connecting devices that include bent end sections that hook onto the end plate using a locking claw part and corresponding openings in the end plate adjacent to the feed opening and bent support sections that rest on the end plate. One would be motivated to combine Asada et al. with '852 and '595 because '852 and '595 teach a wire drying basket that has a more rigid stationary support from having its end sections hook into corresponding openings and the wire drying basket of Asada et al. could be similarly improved by having openings corresponding to its bent end sections, thus better achieving a state of rest (Asada et al., para. 4, lines 1-4) by more rigidly securing the bent end sections into the end plate.

Claims 14-15, 19, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asada et al. (JP 09-220399) in view of '852 (GB 1 491 852) and '595 (DE 27 06 595 A1) as applied to claims 10 and 16 above, and further in view of Czech et al. (US Patent No. 4,720,925 cited in Notice of References Cited mailed 1/6/2009) and Maytag Appliances Sales Co. ((Maytag Neptune Dryer) 2004, [online], [retrieved on 2009-8-10] Retrieved from the Maytag Owners Center Manuals and Literature for model MDE7500 using Internet <URL: http://shared.whirlpoolcorp.com/product_literature/search_results.jsp?searchTerm=MDE7500&siteCd=MT_EN_US> cited in Notice of References Cited mailed 8/17/2009).

In regards to claims 14-15, 19, 25, and 27, Asada et al. in view of '852 and '595 discloses the claimed invention, except for wherein a demountable lint filter is arranged in the end plate, which filter is adjacent to the opening, wherein the openings in the end plate and the connecting devices are covered by the lint filter, further comprising a removable lint filter including a lint screen and an elongated upper diaphragm having a projection at each opposing end of the upper diaphragm, the end plate including an elongated recess extending between the basket openings

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and the lint filter being received into the recess, further comprising a lint filter that is mounted in a slot formed in the end plate, wherein the lint filter covers the openings in the end plate and the bent end sections of the wires, wherein the mounting of the bent end sections into the basket openings and the engagement between the bent supporting sections and the end plate do not prevent a lint filter from being mounted in a recess in the end plate. However, Czech et al. teaches wherein a demountable lint filter (42, fig. 4, "lint filter 42" col. 3, lines 22-25) is arranged in an end plate (28, fig. 4, "bulkhead panel 28" col. 3, line 3), which filter (42, fig. 1) is adjacent to an opening (fig. 1 at 22), wherein the openings in the end plate and the connecting devices (where openings in the end plate and connecting devices were disclosed by Asada et al. in view of '852 and '595) are covered by the lint filter (fig. 4 showing a lint filter 42 having an upper diaphragm 72 that covers an opening in the end plate at E and Figure A below from Maytag, page 22, showing connecting devices covered by a lint filter), further comprising a removable lint filter (42, fig. 4) including a lint screen (82, figs. 4 and 6) and an elongated upper diaphragm (72, fig. 6) having a projection at each opposing end (fig. 6 at 80 showing a projection at each opposing end at 80 on the left and 80 on the right) of the upper diaphragm, the end plate (28, fig. 4) including an elongated recess (52, fig. 4) extending between the basket openings (where the basket openings were disclosed by Asada et al. in view of '852 and '595) and the lint filter (42, fig. 4) being received into the recess (52, fig. 4), further comprising a lint filter (42, fig. 4) that is mounted in a slot (52, fig. 4) formed in the end plate (28, fig. 4), wherein the lint filter (42, fig. 4) covers the openings in the end plate and the bent end sections of the wires (where the openings and bent end sections were disclosed by Asada et al. in view of '852 and '595 and Figure A below from Maytag, page 22, showing end sections of wires being covered by a lint

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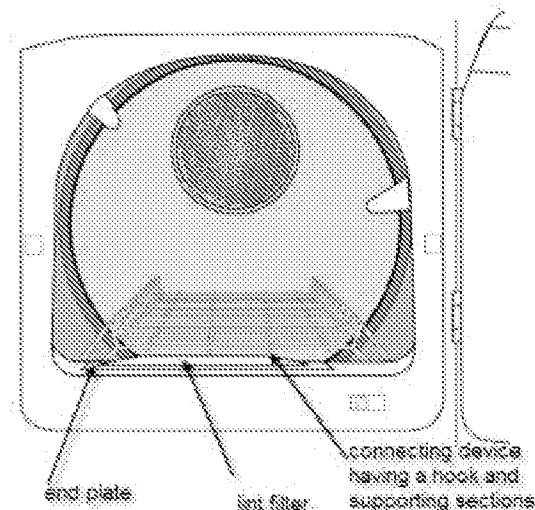
filter), wherein the mounting of the bent end sections into the basket openings and the engagement between the bent supporting sections and the end plate (where the openings and bent end sections were disclosed by Asada et al. in view of '852 and '595) do not prevent a lint filter (42, figs. 1 and 4 and Figure A below from Maytag, page 22, showing end sections of wires being covered by a lint filter) from being mounted in a recess (52, fig. 4) in the end plate (28, fig. 4) in order to filter lint with a lint filtering screen with restricted edges portions to limit lint-buildup thereat and a distended midportion to permit a greater depth of lint to accumulate (col. 4, lines 20-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to modify the Asada et al. in view of '852 and '595 reference, to include wherein a demountable lint filter is arranged in the end plate, which filter is adjacent to the opening, wherein the openings in the end plate and the connecting devices are covered by the lint filter, further comprising a removable lint filter including a lint screen and an elongated upper diaphragm having a projection at each opposing end of the upper diaphragm, the end plate including an elongated recess extending between the basket openings and the lint filter being received into the recess, further comprising a lint filter that is mounted in a slot formed in the end plate, wherein the lint filter covers the openings in the end plate and the bent end sections of the wires, wherein the mounting of the bent end sections into the basket openings and the engagement between the bent supporting sections and the end plate do not prevent a lint filter from being mounted in a recess in the end plate, as suggested and taught by Czech et al., for the purpose of filtering lint with a lint filtering screen with restricted edges portions to limit lint-buildup thereat and a distended midportion to permit a greater depth of lint to accumulate. The Applicant is combining prior art elements according to known methods to yield predictable

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results. The Applicant is combining the prior art elements of a laundry dryer having a wire drying basket attached to an end plate through bent end sections and bent supporting sections as disclosed by Asada et al. with the prior art elements of a laundry dryer having a demountable lint filter arranged in a recess in an end plate adjacent to an opening and having a lint screen and an elongated upper diaphragm having a projection at each opposing end of the upper diaphragm as taught by Czech et al. according to known methods to yield the predictable results of a laundry dryer having a wire drying basket attached to an end plate through bent end sections and bent supporting sections, a demountable lint filter arranged in a recess in an end plate adjacent to an opening and having a lint screen and an elongated upper diaphragm having a projection at each opposing end of the upper diaphragm. Additionally, it would have been obvious to combine Asada et al. with Czech et al. in view of Maytag which teaches a laundry dryer having a wire drying basket (Maytag, page 22) with the ends reaching into the lint filter recess positioned at the end plate and having the lint filter in place during the operation of the laundry dryer (Maytag, page 4) to provide shorter drying time and greater energy efficiency (Maytag, page 4). One would be motivated to combine Asada et al. with Czech et al. because Czech et al. teaches using a lint filter with restricted edge portions to limit lint build-up thereat and a distended portion to permit greater lint accumulation and the drying basket of Asada et al. could be similarly improved by allowing a similar lint filter to be inserted into its end plate to capture lint and limit lint build-up in edge portions, thus providing shorter drying time and greater energy efficiency by capturing lint while limiting lint build-up in edge portions of the lint filter.

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Figure A.



(10) Response to Argument

A. Claims 10, 13, 16-18, 21, 23 and 26

1. Claims 10 and 13

Appellants argue that Asada in view of GB '852 and DE '595 (which are basically directed to the same dryer and drying rack) would not result in the claimed invention of claim 10 of a basket that is supported demountably on an end plate by inserting bent end sections into openings in an end plate and allowing bent support sections to rest against the end plate. That while the drying rack of Asada, as illustrated in Figure 16, discloses many of the claimed features of the claimed invention, the Examiner admitted that the Asada reference fails to disclose or suggest that an end plate at the front of the dryer would include two openings, as recited in claim 10, and also admitted that the hooked ends 51a of the longitudinal supports 51 of the Asada drying rack are not inserted into any openings located in the end plate of the Asada dryer. That the Examiner asserted that the features missing from Asada are disclosed in either GB '852 or DE '595 and further asserted that one of ordinary skill in the art would have been

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motivated to modify the dryer and drying rack disclosed in Asada, based on the teachings of GB '852 or DE '595, to arrive at a dryer as recited in claim 10 to which Appellants respectfully disagree on both points. That DE '595 illustrates that there are two holes 15 on the inner wall of the door 13 which closes the opening into the dryer and the holes 15 are designed to receive the ends of the projections 8 (which are resting upon the rim 12) when the door is closed. That the features missing from Asada are the provision of openings in the end plate where the feed opening into the drum is located, and inserting bent ends of the wires of the drying rack into those openings and that GB '852 and DE '595 fail to disclose these features. That, like Asada, these references also fails to disclose or suggest providing openings in the end plate, and mounting the ends of wires of a drying rack in such openings. That to the extent GB '852 and DE '595 provide any teaching that could be applied to the Asada dryer, that teaching would be to form holes in a door of the dryer to accommodate the ends of wires of a drying basket that are hooked over the rim of the feed opening into the drum. That in view of all of the foregoing, it is submitted that GB '852 and DE '595 would not have motivated one of ordinary skill in the art to modify Asada so that Asada includes openings in its end plate, and so that the ends of a drying rack are then inserted into the new openings formed in the end plate and that the only way to find a motivation to modify Asada to arrive at a structure as recited in claim 10 is through the improper use of hindsight, in view of Appellants' own invention. Finally, that because claim 13 depends from claim 10 it is allowable for at least the same reasons, and for the additional features it recites. In response to Appellants arguments, the issue to be resolved is whether it would have been obvious to modify Asada, which substantially discloses the claimed invention including bent end sections which claw the end plate in a pinching fashion (see Figure B below),

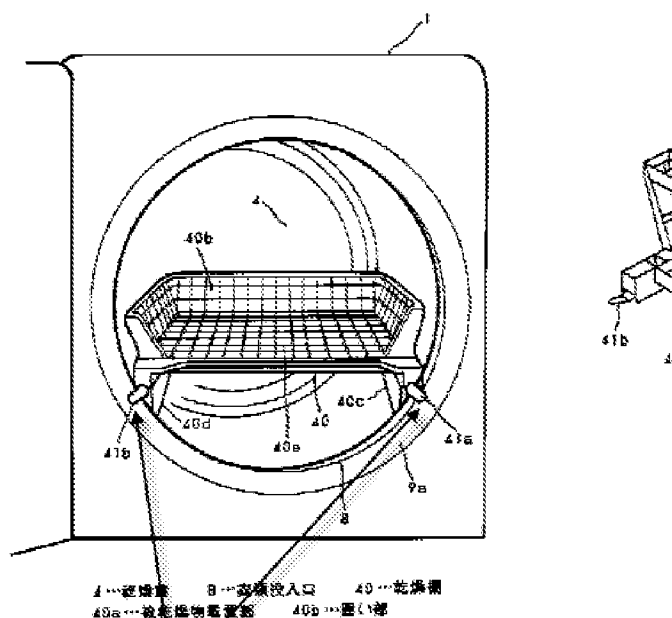
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to further include openings in its end plate located at the ends of its bent end sections, in view of GB '852 and DE '595. As stated in the Office action, the Appellant is combining prior art elements according to known methods to yield predictable results. The Appellant is combining the prior art elements of a wire drying basket that projects into a drying drum while attached by integral connecting devices that include bent end sections that hook onto the end plate using locking claw parts and bent support sections that rest on the end plate as disclosed by Asada et al. with the prior art elements of a wire drying basket that projects into a drying drum while attached by integral connecting devices that include end sections that hook into corresponding openings adjacent to the feed opening and bent support sections that rest on the end plate as taught by '852 and '595 according to known methods to yield the predictable results of a wire drying basket that projects into a drying drum while attached by integral connecting devices that include bent end sections that hook onto the end plate using a locking claw part and corresponding openings in the end plate adjacent to the feed opening and bent support sections that rest on the end plate. The Office action went on to state that one would be motivated to combine Asada et al. with '852 and '595 because '852 and '595 teach a wire drying basket that has a more rigid stationary support from having its end sections hook into corresponding openings and the wire drying basket of Asada et al. could be similarly improved by having openings corresponding to its bent end sections, thus better achieving a state of rest (Asada et al., para. 4, lines 1-4) by more rigidly securing the bent end sections into the end plate. Therefore, the Office action clearly articulated the position that it would have been obvious to modify Asada to include openings in its end plate that correspond to its bent end sections so that when they hook onto the end plate a better state of rest is achieved. The Appellants' arguments make

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much of the openings of DE '595 being located in the door. However, it would have been obvious to one of ordinary skill in the art that in modifying Asada, which, as quoted in the Office action, states that "It is attached so that the frame of a clothes input port may be pinched with the locking claw part 51a and the support arm 53" in paragraph 5, lines 1-7 of Asada, the only logical place for positioning openings that correspond to the bent end sections would be on the end plate (frame of the clothes input port). Additionally, in response to Appellants argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the appellant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In this case, as shown by the citations found throughout the Office action, the Examiner took into account only knowledge which was within the level or ordinary skill at the time the claimed invention was made and did not include knowledge gleaned only from the Appellants' disclosure. Finally, claim 13 is not allowable merely for depending from claim 10. Therefore, claims 10 and 13 are unpatentable over the prior art.

Figure B



The claimed invention merely involves placing openings in the end plate at the locations where the ends of the bent end sections claw into the end plate.

2. Claim 23

Appellants argue that claim 23 is allowable for all the reasons given in connection with claim 10. In addition, Appellants argue that claim 23 further recites that the engagement of the bent end sections in the opening and the engagement of the bent support section with the end plate causes the drying basket to project into the drum in a cantilevered fashion and that the GB '852 and DE '595 references fail to show a drying rack that is supported in a cantilevered fashion. That while Asada discloses a drying rack that is arguably supported in a cantilevered fashion within a drum of a dryer, in all of Asada's embodiments, the support elements on the front of a drying basket are hooked over the rim of the feed opening into the drum which as explained in the present application, can result in the support elements interfering with the seal provided at the

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feed opening. In response to Appellants arguments, claim 10 is not allowable for the reasons provided above. Additionally, Asada shows the drying rack being supported in a cantilevered fashion in figure 1 of Asada and explains that “It is attached so that the frame of a clothes input port may be pinched with the locking claw part 51a and the support arm 53” in paragraph 5, lines 1-7 of Asada. Providing openings for the end sections to enter, as is suggested by the GB '852 and DE '595 references, would merely provide a more rigidly stationary support for the rack. Finally, it is not clear whether Asada's drying basket configuration interferes with any seals it may have and as explained above the claimed invention would have been obvious to one of ordinary skill in the art in view of the relevant prior art. Therefore, claim 23 is unpatentable over the prior art.

3. Claim 16-18

Appellants argue that as explained above, the Asada reference fails to disclose or suggest a drying basket having bent end sections on a longitudinal support, wherein the bent end sections are received in basket openings located on an end plate of the dryer. That the GB '852 and DE '595 references also fail to disclose or suggest that ends of longitudinal supports of a drying basket are inserted into openings on an end plate of a dryer and accordingly that claim 16 is allowable for reasons similar to those explained in connection with claim 10. Finally, that claims 17 and 18 depend from claim 16 and are allowable for the same reasons, and for the additional features which they recite. In response to Appellants' arguments, as explained above, Asada substantially discloses the claimed invention and providing openings for the bent end sections, which pinch into the end plate of the dryer, to enter for a more rigidly stationary support would have been obvious in view of the GB '852 and DE '595 references. Finally, claims 17 and 18 are

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not allowable merely for depending from claim 16. Therefore, claims 16-18 are unpatentable over the prior art.

4. Claim 26

Appellants argue that claim 26 is allowable for all the reasons discussed in connection with claim 16 and in addition because it further recites that engagement between the bent end sections and the basket openings and between the bent supporting sections and the end plate cause the drying basket to project into the rotary drum in a cantilevered fashion. That, as noted above, Asada, GB '852 and DE '595 all fail to disclose or suggest these features. In response to Appellants' arguments, Asada shows that the basket extends in a cantilevered fashion as is best shown in Figure 1 of Asada. Additionally, the openings merely provide a more rigidly stationary support and would have been obvious as explained above. Therefore, claim 26 is unpatentable over the prior art.

5. Claim 21

Appellants argue that claim 21 is directed to a method for removably connecting a drying basket to a laundry dryer and that as noted above, Asada, GB '852 and DE '595 all fail to disclose or suggest providing a laundry dryer having an end plate that includes two basket openings. That the references also fail to disclose or suggest inserting each bent end section of a longitudinal support of a drying basket into the openings in the end plate. In response to Appellants' arguments, as explained above, Asada substantially discloses the claimed invention including having each bent end section of a longitudinal support of a drying basket engage the end plate. It would have been obvious in view of the GB '852 and DE '595 references to provide openings for

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the end sections to be inserted into so as to achieve a more rigidly stationary support as explained above. Therefore, claim 21 is unpatentable over the prior art.

B. Claims 14, 15, 19, 25 and 27

1. Claim 14

Appellants argue that because claim 14 depends from claim 10 it is allowable and that the Czech and Maytag references fail to cure the deficiencies of Asada, GB '852 and DE '595. In response to Appellants' arguments, as explained above claim 10 is not allowable and accordingly claim 14 is not allowable merely because it depends from claim 10. Therefore, claim 14 is unpatentable over the prior art.

2. Claim 15

Appellants argue that because claim 15 depends from claims 10 and 14 and further recites that the openings in the end plate and the connecting devices are covered by the lint filter, it is allowable because Czech fails to disclose or suggest forming openings in the end plate that receive the ends of a drying basket and accordingly does not cure the deficiencies of Asada, GB '852 and DE '595 discussed above. That, moreover, nothing in Czech suggests that a lint filter should cover any additional openings in an end plate in which it is mounted. In response to Appellants' arguments, as made clear above, there are no deficiencies to be cured with regard to the rejections of claims 10 and 14. With regard to the lint filter covering additional openings in an end plate, the Office action made clear that the Maytag reference teaches bent end sections of a basket being covered by a lint filter as is shown in Figure A above. Therefore, claim 15 is unpatentable over the prior art.

3. Claim 19

Appellants argue that because claim 19 depends from claim 16 it is allowable for the reasons explained above and that the Czech and Maytag references fail to cure deficiencies of Asada, GB '852 and DE '595. In response to Appellants' arguments, as explained above claim 16 is not allowable and accordingly claim 19 is not allowable merely for depending from claim 16. Therefore, claim 19 is unpatentable over the prior art.

4. Claim 25

Appellants argue that because claim 25 depends from claim 10 it is allowable for the reasons explained above. That additionally, claim 25 further recites a lint filter that is mounted in a slot formed in the end plate, wherein the lint filter covers the openings in the end plate and the bent end sections of the wires and as explained above, none of the references, including Czech and Maytag, disclose or suggest forming openings in an end plate and inserting the bent end section of wires of a drying basket into such openings. Further that Czech and Maytag fail to disclose or suggest that a lint filter would cover other openings formed in an end plate. In response to Appellants' arguments, as explained above claim 10 is not allowable and accordingly claim 25 is not allowable merely for depending from claim 10. With regard to the lint filter covering additional openings in an end plate, the Office action made clear that the Maytag reference teaches bent end sections of a basket being covered by a lint filter as is shown in Figure A above. Therefore, claim 25 is unpatentable over the prior art.

5. Claim 27

Appellants argue that because claim 27 depends from claim 16 it is allowable for the reasons explained above and that the Czech and Maytag references fail to cure the deficiencies of Asada, GB '852 and DE '595. In response to Appellants' arguments, as explained above claim 16

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is not allowable and accordingly claim 27 is not allowable merely for depending from claim 16.

Therefore, claim 27 is unpatentable over the prior art.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Corey Hall/

Examiner, Art Unit 3743

Conferees:

/Kenneth B Rinehart/

Supervisory Patent Examiner, Art Unit 3743

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